

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Victor Henschel	Team: Team # 4	CCRB Case #: 200716437	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 11/10/2007 9:15 PM	Location of Incident: 101st Street & 1st Avenue	Precinct: 23	18 Mo. SOL 5/10/2009	EO SOL 5/10/2009	
Date/Time CV Reported Sat, 11/10/2007 10:54 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Sat, 11/10/2007 10:54 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Ramiro Ruiz	07987	939384	023 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Ramiro Ruiz	Abuse: PO Ramiro Ruiz stopped § 87(2)(b)	
B.POM Ramiro Ruiz	Force: PO Ramiro Ruiz used physical force against § 87(2)(b)	
C.POM Ramiro Ruiz	Abuse: PO Ramiro Ruiz threatened § 87(2)(b) with the use of force.	
D.POM Ramiro Ruiz	Discourtesy: PO Ramiro Ruiz spoke obscenely and/or rudely to § 87(2)(b)	

### Synopsis

§ 87(2)(b) filed a complaint on the CCRB web site on 11/10/2007 at 10:54 PM that was assigned case # 200716437. § 87(2)(b) stated that on 11/10/2007 at 9:15 PM he was walking his dog in the vicinity of 101<sup>st</sup> Street and 1<sup>st</sup> Avenue in Manhattan when Officer Ruiz, badge number 7987 stopped § 87(2)(b) and asked him if he lived there. § 87(2)(b) responded that he did. The officer then grabbed § 87(2)(b)'s coat and pushed him to a wall while § 87(2)(b) said he was screaming that he has NY State ID and asked the officer if he had probable cause to which the officer responded by calling § 87(2)(b) a smart ass. § 87(2)(b) stated that he tried to move and the officer told him that if he tried to move again that he would throw § 87(2)(b)'s fucking head through the wall. The officer then took § 87(2)(b)'s wallet out and looked at his ID while continuing to search § 87(2)(b). The officer said "I know you don't have no drugs on you now. You not that stupid, but I catch your ass, watch." § 87(2)(b) states he turned around and "all my stuff was in the floor." § 87(2)(b) said that the officer told him to "pick it up and get out of here."

The undersigned spoke on the phone with § 87(2)(b) on 11/19 § 87(2)(g). In a subsequent conversation initiated by the undersigned with § 87(2)(b) on 12/04, § 87(2)(b) confirmed he would come to the CCRB Office on 12/11/2007 to make an in person statement. § 87(2)(b) did not appear for this appointment and in a subsequent phone conversation on 12/11, § 87(2)(b) apologized and said he thought the appointment was for 12/12. (The audio tape record of the conversation with § 87(2)(b) clearly states that the appointment was confirmed for 12/11.) The undersigned agreed to reschedule the appointment for Friday, 12/14 at 10:00 AM and sent a letter to § 87(2)(b) confirming the appointment and the case would be dropped by the CCRB if he failed to appear for this appointment. The letter was not returned. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: